



Meeting: **Reservoir Committee & Authority Board**
Agenda Item 2.3

February 16, 2024

Subject: **Maxwell Irrigation District MOU Time Extension Request**

Requested Action:

Reservoir Committee and Authority Board consider authorizing the Executive Director to enter into an amendment to the Maxwell Irrigation District (Maxwell ID) Memorandum of Understanding (MOU) to extend the MOU to April 30, 2024.

Detailed Description/Background:

The Authority and Maxwell ID entered into a MOU in September 2023 to address Maxwell ID's concerns with the Authority's water right application. The MOU identified the need to develop an Operations Agreement with Maxwell ID on or before February 29, 2024 to ensure that the Project will not impact Maxwell ID's ability to exercise its water rights. Staff have been working with Maxwell ID to prepare such an agreement. Discussions have been productive, but the group is not yet at the point of having a fully developed Operations Agreement.

In working with Maxwell ID, staff is proposing that the timeframe of the MOU commitment be extended from February 29, 2024 to April 30, 2024. This April date coincides with the timeframe that the Authority expects the pre-hearing conference to be held for the Authority's water right application. This would be a timeframe that would allow Maxwell ID to participate in the water right hearing process if successful resolution of their concerns had not been reached. At this time, Staff expects successful resolution of all Maxwell ID's concerns and discussions have been productive.

Staff at Maxwell ID concur with this approach.

Prior Action: August 2023 – Reservoir Committee and Authority Board authorized the Executive Director to enter into a MOU with the Maxwell ID, subject to legal counsel review, regarding issues and concerns on the Sites water right application.

Fiscal Impact/Funding Source: None. Activities to develop a final Agreement with Maxwell ID can be accomplished within the revised Amendment 3 Work Plan amounts.

Staff Contact: Ali Forsythe

Primary Service Provider: Somach/MBK